

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

LEI ZHU et al.

Serial No.: 10/524,089

Filed: February 9, 2005

For: TISSUE SPECIFIC EXPRESSION
OF EXOGENOUS PROTEINS IN
TRANSGENIC CHICKENS

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) **Group Art Unit:** 1633
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) **Examiner:** Sumesh Kaushal
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) **Confirmation No.:** 2398
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RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

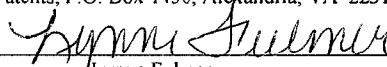
Dear Sir:

In response to the Office Action Summary mailed on July 2, 2007, the Applicants elect Group II drawn to a method of making a transgenic avian, claims 11-15 read thereon. Please cancel claims 1-10, without prejudice.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) was transmitted electronically to Mail Stop Patent Application, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 30, 2007


Lynne Fulmer

IN THE CLAIMS:

1. (Canceled) A chicken selectively expressing exogenous protein in tubular gland cells wherein the protein is encoded by a transgene stably integrated into a genome of the chicken and wherein the transgene is comprised at least a portion of a promoter of a gene encoding an egg white protein that is operably linked to DNA encoding the exogenous protein.
2. (Canceled) The chicken of claim 1 further comprising at least a second portion of a promoter of a gene encoding an egg white protein flanking the 3' end of the DNA encoding the exogenous protein.
3. (Canceled) The chicken of claim 1 wherein the exogenous protein is a monoclonal antibody.
4. (Canceled) The chicken of claim 3 wherein the monoclonal antibody is comprised of a human heavy chain.
5. (Canceled) The chicken of claim 4 wherein the monoclonal antibody is isotype IgG.
6. (Canceled) The chicken of claim 1 wherein the egg white protein is ovalbumin.
7. (Canceled) The chicken of claim 1 wherein the egg white protein is selected from the group consisting of ovotransferrin, ovomucoid, lysozyme, ovoglobulin G2, ovoglobulin G3, ovomacroglobulin, ovoinhibitor, cystatin, ovoglobulin G2, ovoglobulin G3, ovomacroglobulin, and avidin.

8. (Canceled) The chicken of claim 1 wherein the size of the transgene is greater than 15 kb.
9. (Canceled) A chicken egg containing a human protein in the egg white, wherein the human protein is encoded by a transgene stably integrated into the genome of a transgenic chicken.
10. (Canceled) The egg of claim 9 wherein the human protein is a monoclonal antibody.
11. (Original) A vector comprising a promoter linked to a heterologous coding sequence to express said coding sequence in tubular gland cells of an avian oviduct.
- 12.(Original) The vector of claim 11, wherein said promoter is selected from the group consisting of an ovomucoid, ovalbumin, lysozyme, and ovomucin promoter.
- 13.(Original) The vector of claim 11, further comprising a gene encoding a selectable marker.
- 14.(Original) The vector of claim 11, further comprising an internal ribosome entry site element.
- 15.(Original) The vector of claim 11, wherein the heterologous coding sequence encodes a human antibody. .

The Commissioner is authorized to charge any fees required by the filing of this papers,
and to credit any overpayment to Orrick Herrington & Sutcliffe's Deposit Account No. **150665**.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: July 30, 2007

By: 

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